

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

ANDREW STRICK,

Plaintiff,

No. C14-5625 RJB-KLS

v.

**REPORT AND RECOMMENDATION**  
**Noted For: December 12, 2014**

JOHN DOE LENTZ et al.,

Defendants.

On August 11, 2014, the undersigned ordered *pro se* plaintiff, Andrew Strick, to file a new in forma pauperis application as he had prepared his application for the Ninth Circuit and not for this court. Dkt. 2. On August 14, 2014 the United States Post Office returned the copy of the Order the Clerk's Office sent to plaintiff marked as undeliverable. Dkt. 5. Local Civil Rule 41(2) gives a *pro se* plaintiff 60 days to file a new address with the Court once mail has been returned. The rule states:

(2) A party proceeding *pro se* shall keep the court and opposing parties advised as to his or her current mailing address and, if electronically filing or receiving notices electronically, his or her current email address. If mail directed to a *pro se* plaintiff by the clerk is returned by the Postal Service, or if email is returned by the internet service provider, and if such plaintiff fails to notify the court and opposing parties within 60 days thereafter of his or her current mailing or email address, the court may dismiss the action without prejudice for failure to prosecute.

Plaintiff had until October 14, 2014, to advise the Court of a new address and as of

1 November 13, 2014, nothing had been filed. The undersigned recommends dismissal of this  
2 action pursuant to Local Rule 41(2) for failure to comply with court rules, and failure to  
3 prosecute.

4 Pursuant to 28 U.S.C. § 636(b)(1) and Rule 72(b) of the Federal Rules of Civil  
5 Procedure, the parties shall have fourteen (14) days from service of this Report to file written  
6 objections. *See also* Fed. R. Civ. P. 6. Failure to file objections will result in a waiver of those  
7 objections for purposes of appeal. *Thomas v Arn*, 474 U.S. 140 (1985). Accommodating the  
8 time limit imposed by Rule 72(b), the Clerk is directed to set the matter for consideration on  
9 **December 12, 2014**, as noted in the caption.  
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11 DATED this 14<sup>th</sup> day of November, 2014.

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14 Karen L. Strombom  
15 United States Magistrate Judge  
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